

Remarks

Claims 117-127 are pending. Claims 117-127 stand rejected. Claims 117 and 118 are amended herein.

Because the dependent claims were previously searched, the amendment does not necessitate a new search and does not place an undue burden on the Examiner. Therefore, Applicants respectfully request that the amended claims be allowed.

Claim 117 stands rejected under 35 U.S.C. §102(e) over U.S. Patent 6,272,819 (Wendte et al.). Inasmuch as the rejection applies to the claims as amended, Applicants traverse the rejection.

Claim 117 requires, among other things, a volume increment accumulation measuring device generating a volume increment accumulation signal substantially related to a forage mass and a computer that receives said volume increment accumulation signal and generates a yield amount based upon said accumulation signal, a forage processing machinery groundspeed, a bale cross-section, and forage processing machinery intake parameters.

Wendte does not disclose generating a yield amount based upon a volume increment accumulation signal, a forage processing machinery groundspeed, a bale cross-section, and forage processing machinery intake parameters.

Independent claim 117 therefore includes features that are neither taught nor suggested by Wendte. Applicants respectfully request that the rejection of claim 117 be removed and the claim be allowed.

Claims 117 and 119 stand rejected under 35 U.S.C § 103(a) over U.S. Patent No. 5,913,901 (Bottinger et al.) in view of U.S. Patent No. 5,480,354 (Sadjadi) in view of U.S. Patent No. 6,525,276 (Vellidus). Applicants respectfully traverse the rejection.

The Bottinger, Sadjadi, and Vellidus references, alone or in combination, do not disclose generating a yield amount based upon a volume increment accumulation signal, a forage processing machinery groundspeed, a bale cross-section, and forage processing machinery intake parameters.

Independent claim 117 therefore includes features that are neither taught nor suggested by the combination of Bottinger, Sadjadi, and Vellidus. Claim 119 is allowable for the same reasons as claim 117.

Claims 120 and 121 stand rejected under 35 U.S.C. § 103(a) as being obvious over Bottinger, Sadjadi and Vellidus and further in view of U.S. Patent 5,855,166 (McPherson). Claims 120 and 121 depend from independent claim 117, and therefore are patentable for the reasons previously discussed.

Claim 127 stands rejected under 35 U.S.C. § 103(a) as being obvious over Wendte in view of U.S. Patent 4,487,002 (Kruse et al.). Claim 127 depends from independent claim 117, and therefore is patentable for the reasons previously discussed.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 117-127.

Please feel free to call me to discuss the patentability of the pending claims.

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